

### **REMARKS**

Claims 1-18 are now pending in the application. Applicant respectfully acknowledges the Examiner's indication of the allowable claims 1-6 and 10-12. Applicant would like to thank the Examiner for the courtesies extended to applicant's representative during a telephone interview on July 11, 2008. During that interview, the Examiner indicated that the claims as amended herein would overcome the pending rejections. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 7-9 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner asserts that the claims are for the use of information coding but does not include any coding step. This rejection is respectfully traversed. Claims 7 and 8 have been amended in accordance with the Examiner's suggestion. Basis for these amendments can be found, for example, in steps 3-5 and 3-7 of Figure 3A and the corresponding explanation (e.g., page 20, lines 6-10 of the specification). Therefore, reconsideration and *withdrawal* of this rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 101**

Claims 7-9 and 13-18 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. This rejection is respectfully traversed. Claims 7, 8, 13,

14 and 16 have also been amended in accordance with the Examiner's suggestion regarding this rejection. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 23, 2008

By: /Timothy D. MacIntyre/  
Timothy D. MacIntyre  
Reg. No. 42,824

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

TDM/med